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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,854	10/16/2003	Robert P. Cozier	100110606-1	1744

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

TAKELE, MESEKER

ART UNIT	PAPER NUMBER
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2109

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/686,854

Applicant(s)

COZIER ET AL.

Examiner

Meseker Takele

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Change of Examiner of Record

1. The prosecution of this application has been transferred to Examiner Meseker Takele from the docket of Examiner Ali Mohammed. Any inquiry concerning this Office Action or earlier communications should be directed to the current Examiner of record. Current contact information is provided in the last section of this communication.

Response to Amendment

2. This office action is in response to the Amendment filed January 16, 2007 to Claims 1-17. Examiner has further cited Kikugawa, (US Pub. No.: 20030189644) to teach electronic equipment and data transfer method and Stecyk et al. (US Pub. No.: 2002/0171763) to teach configuring Icon and graying out.

Response to Arguments

3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been

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obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 4, 7-10, 12 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US Pub. No.: 2002/0083121) in view of Stecyk et al. (US Pub. No.: 2002/0171763).

As to claim 1, Chang discloses system for communicating with an external device (example, a communication channel between the information apparatus and an output device, see abstract and Figure 9A), and comprising: a display (example, display device, see paragraph [0002]), a customizable share menu that is displayable on the display and which comprises: a plurality of selectable icons that respectively correspond to selected tasks or actions that may be performed by a user, (example, which describes that the information apparatus and output controller are pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu, see paragraph ([0046], [0051], and [0054]) and which initiate a through connection with the external device and, when selected, cause the selected task or action to be performed on the external device in a preprogrammed manner (example, The user may then select one or more output devices based on the service information provided, see paragraph [0029]);

wherein the external device communicates identifying information to the system that identifies the external device and its capabilities (example, Output manager 308 may communicate and interact with one or more software applications 302 included in a host information apparatus 100 to provide

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pervasive output capability or feature, verify communication connections, identify devices available or compatible for service see paragraph [0051] and [0054]) and in response.

Chang does not disclose, the system configures with icons the share menu according to the capabilities of the external device and shows the user specific capabilities that cannot be performed by the external device by graying out from the share menu intended actions that cannot be performed by the external device. Stecyk from the same field of endeavor discloses the system configures with icons and graying out from the share menu intended actions that cannot be performed by the external device (example, icons themselves may be configured, see paragraph [0053], graying or crossing out, see paragraph [0053], graying out of an icon and its label in the device or audio windows 1060 and 1080, is used to indicate that a particular device is unavailable or disabled, see paragraph [0056]).

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method at the time the invention was made with the features of configuring icons and graying out of an icon and its label in the device or audio windows 1060 and 1080, which is used to indicate that a particular device is unavailable or disabled, as taught by Stecyk. The motivation to combine the two references will improve graying out would have visually indicated to the user that the capability cannot be used by the present external device. Thus such functionality as taught by Stecyk, would have allowed the system of Chang to be easier to use.

Chang does not disclose a device configuration module that configures a customized device driver for the external device so that the external device can communicate its capabilities by way of specific device identifying information if the external device is not a readily available device type.

Stecyk from the same field of endeavor discloses a device configuration module that configures a customized device driver for the external device so that the external device can communicate its capabilities by way of specific device identifying information if the external device is not a readily available device type (example, the control system includes a configuration setup subsystem. It provides users with the capability to setup the configuration or device interconnections of the network system in a first time out of the box initial setup mode or the capability to change/modify/delete existing configurations in an edit mode, and the user may enter the edit mode of the subsystem to customize the input connections of such devices as well as delete individual device or entire system configuration data see paragraph [0014], stored device and device connection configuration data, see paragraph [0013].

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method at the time the invention was made with the features of capability to setup the configuration or device interconnections of the network system in a first time out of the box initial setup mode or the capability to change/modify/delete existing configurations in an edit mode as taught by Stecyk.

Chang does not disclose wherein, in response to selecting one of the one or more selectable icons to perform a desired task, the system checks whether the selection that has been made matches the capabilities of the connected external device and if the selection matches the external device capabilities, performs the desired task by communicating between the user device and the external device.

Stecyk from the same field of endeavor discloses in response to selecting one of the one or more selectable icons to perform a desired task, the system checks whether the selection that has been made matches the capabilities of the connected external device and if the selection matches the external device capabilities, performs the desired task by communicating between the user device and the external device (example, device selection, icons, see paragraph [0050], The DMOs include details of the device's capabilities including, but not limited to, how to control the device, what functions the device can perform, which functions the device cannot perform, and all the I/O capabilities of the device, see paragraph [0074], and input command such as an event signal from a system remote, determining what action needs to take place, for example, navigate through menus on the screen of the PDCU or operate an attached AV device, determining what devices to connect and how to connect them, and then preparing and sending device appropriate messages or commands to the input devices, see paragraph [0010]).

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method with the features of

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selecting one of the one or more selectable icons to perform a desired task, the system checks whether the selection that has been made matches the capabilities of the connected external device and if the selection matches the external device capabilities, performs the desired task by communicating between the user device and the external device as taught by Stecyk.

As to claims 2 and 10, Chang discloses which comprises a digital camera (example, digital camera, see paragraph [0002]).

As to claims 4 and 12, Chang discloses wherein the external device comprises a printer (example, an output device 140 may include a fax machine, printer, copier, image or video display device, projector, and an audio output device, see paragraph [0002] and Figure 4A-4C).

As to claim 7, Chang discloses configuring a user device to have a share menu that is displayable on a display of the user device on a display of the user device and which comprises one or more selectable icons that correspond to selected tasks or actions that may be performed by a user (example, which describes that the information apparatus and output controller are pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu see paragraph, [0046, 0051, 0054]); connecting the user device to an external device (see paragraph [0060]); communicating identifying information from the external device to the use user device that identifies the external device and its capabilities (example, which describes an external device communicates with the information apparatus and output controller uploading the make, model, type of device, identification,

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version, type of input language, type of device driver software, and type of services provided, see paragraph [0054, 0062, 0065]).

However Chang does not disclose configuring the share menu according to the capabilities of the external device selecting one of the one or more selectable icons to perform a desired task

Stecyk from the same field of endeavor discloses graying out from the share menu intended actions that cannot be performed by the external device (example, graying or crossing out, see paragraph [0053], graying out of an icon and its label in the device or audio windows 1060 and 1080, is used to indicate that a particular device is unavailable or disabled, see paragraph [0056]).

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method with the features of graying out of an icon and its label in the device or audio windows 1060 and 1080, is used to indicate that a particular device is unavailable or disabled as taught by Stecyk. The motivation to combine the two references will improve graying out would have visually indicated to the user that the capability cannot be used by the present external device. Thus such functionality as taught by Stecyk, would have allowed the system of Chang to be easier to use.

Chang discloses checking whether the selection that has made matches the capabilities of the connected external device (example, which describes after a task is chosen, the output controller will check if the external ' device can perform the appropriate task, see paragraph ([0137, 0189]); if the selection matches the external device capabilities, performing the desired task by

communicating between the user device and the external device see paragraph [0137, 0189].

As to claim 8, Chang disclose wherein the step of communicating uses a predetermined connection protocol (example, communication protocol, see paragraph [0050]).

As to claim 9, Chang discloses wherein the step of communicating uses a file system (example, the communication may include messages; objects, models, or procedural calls, see paragraph [0051]).

As to claim 15, Chang discloses a system for communicating with an external device (example, see abstract), comprising: a display (example, display device, see paragraph [0002]), a customizable displayable sharing means that is presentable on the display and which comprises a plurality of selectable icons that respectively correspond to selected tasks or actions that may be performed by a user, for initiating a through connection with the external device (see, Figure 8a-8g; and paragraph [0041]); and for causing a selected task or action to be performed on the external device in a preprogrammed manner (example, the information apparatus and output controller are pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu, see paragraph, [0046, 0051, 0054]).

Chang does not disclose the user specific capabilities that cannot be performed by the external device by graying out from the share menu intended actions that cannot be performed by the external device. Stecyk from the same

field of endeavor discloses the user specific capabilities that cannot be performed by the external device by graying out from the share menu intended actions that cannot be performed by the external device (example, graying or crossing out, see paragraph [0053], graying out of an icon and its label in the device or audio windows 1060 and 1080, is used to indicate that a particular device is unavailable or disabled, see paragraph [0056]).

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method with the features of user specific capabilities that cannot be performed by the external device by graying out from the share menu intended actions that cannot be performed by the external device (example, graying or crossing out, see paragraph [0053], graying out of an icon and its label in the device or audio windows 1060 and 1080, is used to indicate that a particular device is unavailable or disabled, see paragraph [0056]) as taught by Stecyk. The motivation to combine the two references will improve centrally controlling the operation of devices within a network of consumer electronics systems.

Chang does not disclose a device configuration module that configures a customized device driver for the external device so that the external device can communicate its capabilities by way of specific device identifying information if the external device is not a readily available device type.

Stecyk from the same field of endeavor discloses a device configuration module that configures a customized device driver for the external device so that the external device can communicate its capabilities by way of specific device

identifying information if the external device is not a readily available device type (example, the control system includes a configuration setup subsystem. It provides users with the capability to setup the configuration or device interconnections of the network system in a first time out of the box initial setup mode or the capability to change/modify/delete existing configurations in an edit mode, and the user may enter the edit mode of the subsystem to customize the input connections of such devices as well as delete individual device or entire system configuration data see paragraph [0014], stored device and device connection configuration data, see paragraph [0013].

It would have been obvious to one of ordinary skill in the art to have modified Chang's device driven share system and method with the features of capability to setup the configuration or device interconnections of the network system in a first time out of the box initial setup mode or the capability to change/modify/delete existing configurations in an edit mode as taught by Stecyk.

As to claim 16, Chang discloses wherein the external device and its capabilities, and in response, the system configures the share menu according to the capabilities of the external device (example, when an external device is connected to the information apparatus and output controller, the external device will negotiate services and configure its available capabilities to the information apparatus and output controller, see and [0060, 0062] and Figure 4a-4c).

As to claim 17, Chang disclose wherein, in response to selecting one of the one or more selectable icons to perform a desired task, the system checks

whether the selection that has been made matches the capabilities of the connected external device, and if the selection matches the external device capabilities, performs the desired task by communicating between the user device and the external device (example, after a task is chosen, the output controller will check if the external device can perform the appropriate task, see paragraph [0137] and [0189]).

6. Claims 3, 5, 6, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US Pub. No.: 2002/0083121) in view of Stecyk et al. (US Pub. No.: 2002/0171763) as applied above to claims 1 and 7 and further view of Kikugawa (US Pub. No.: 20030189644).

As to claims 3 and 11, Chang does not disclose wherein the tasks are selected from a group consisting of printing, e-mailing, archiving, and downloading data from the system.

Kikugawa from the same field of endeavor discloses printing and archiving [0057], which reads on the tasks are selected from a group consisting of printing, e-mailing, archiving, and downloading data from the system.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by selecting the tasks from a group consisting of printing, e-mailing, archiving, and downloading data from the system as disclosed by Kikugawa. The motivation to combine the two references will allow expanding the functionality of Chang's system, by giving the user other available types of tasks.

As to claims 5 and 13, Chang does not disclose wherein the external device comprises a computer.

Kikugawa from the same field of endeavor discloses the external device comprises a computer [0057].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by having an external device as a computer disclosed by Kikugawa. In order to expand the functionality of Chang's system by using a plurality of different equipment including a computer, thereby enabling archiving of images.

As to claims 6 and 14, Chang does not disclose wherein the external device comprises a wireless telephone.

Kikugawa from the same field of endeavor discloses the external equipment comprises a wireless telephone [0057].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by having the external device comprising a wireless phone disclosed by Kikugawa. In order to expand the functionality of Chang's system by using a plurality of different equipment including a mobile telephone, thereby communicating photos over different mediums.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Newman et al. Us 6,473,523 is cited to teach Portable text capturing method and device therefor.

Prabhu et al. US Patent Number: 6,903,762) is cited to teach configuring icons.

Sinclair et al. (US Pub. No.: 2004/0070612) is cited to teach System and method for making user interface elements known to an application and user.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meseker Takele whose telephone number is (571) 270-1653. The examiner can normally be reached on Monday - Friday 7:30AM- 5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571) 272-2100. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT


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SUPERVISORY PATENT EXAMINER